

**304.17A-139 Family or dependents coverage to apply to newly born child from moment of birth and to include inherited metabolic diseases -- Requirement for notification and payment of premium -- Coverage for milk fortifiers to prevent enterocolitis.**

- (1) A health benefit plan that provides coverage for a family or dependent shall provide coverage of a newly born child of the insured from the moment of birth.
- (2) Coverage for a newly born child shall consist of coverage of injury or sickness, including the necessary care and treatment of medically diagnosed congenital defects and birth abnormalities.
- (3) If payment of a specific premium or fee is required to provide coverage for a child, the policy or contract may require that notification of birth of a newly born child and payment of the required premium or fees must be furnished to the insurer within thirty-one (31) days after the date of birth in order to have the coverage continue beyond that thirty-one (31) day period.
- (4) (a) For the purposes of this subsection:
  1. "Milk fortifier" means a commercially prepared human milk fortifier made from concentrated one hundred percent (100%) human milk; and
  2. "One hundred percent (100%) human diet" means the supplementation of a mother's expressed breast milk or donor milk with a milk fortifier.(b) A health benefit plan that provides prescription drug coverage shall provide that coverage for a one hundred percent (100%) human diet, if the one hundred percent (100%) human diet and supplemented milk fortifier products are prescribed for the prevention of necrotizing enterocolitis and associated comorbidities, and are administered under the direction of a physician. Coverage under this subsection may be subject to a cap of fifteen thousand dollars (\$15,000) per infant, for each plan year, subject to annual inflation adjustments.
- (5) The requirements of this section shall apply to all health benefit plans delivered or issued for delivery on or after June 25, 2013.

**Effective:** June 25, 2013

**History:** Amended 2013 Ky. Acts ch. 118, sec. 11, effective June 25, 2013. -- Amended 2008 Ky. Acts ch. 119, sec. 3, effective July 15, 2008. -- Amended 2002 Ky. Acts ch. 195, sec. 1, effective July 15, 2002. -- Created 2000 Ky. Acts ch. 457, sec. 4, effective July 14, 2000.